

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALAN BROWN.

Plaintiff,

-against-

STATE STREET CORPORATION
and STATE STREET GLOBAL
ADVISORS.

Defendants.

Case No. 05 Civ. 11178 (NG)

**DEFENDANTS STATE STREET
CORPORATION'S AND STATE
STREET GLOBAL ADVISORS'
DISCLOSURES PURSUANT
TO FED. R. CIV. P. 26(a)(3)**

Defendants State Street Corporation (the “Corporation”) and State Street Global Advisors (“SSgA”) (collectively “State Street”) make the following pretrial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3):

I. WITNESSES

State Street anticipates presenting the following witnesses at trial:

| | |
|-------------------|----------------|
| Luis de Ocejo | Boon S. Ooi |
| Richard P. Sergel | David A. Spina |

In addition, as set forth in its Rule 26(a)(2) disclosures to plaintiff, State Street anticipates presenting David A. Spieler of Duff & Phelps, LLC as an expert witness.

State Street may call the following witnesses at trial if the need arises:

| | |
|-----------------|---------------------|
| Nicola S. Brown | Nader F. Darehshori |
| Linda A. Hill | William W. Hunt |
| Ronald E. Logue | Thomas J. McCrossan |

| | |
|---------------------------------|-------------|
| Mitchell H. Shames | John Towers |
| Robert E. Weissman ¹ | |

State Street reserves the right to designate additional witnesses in response to plaintiff's Rule 26(a)(2) and 26(a)(3) pretrial disclosures.

II. WITNESSES BY DEPOSITION

State Street reserves the right to present by deposition any witness set forth in Section I should the witness become unavailable to testify at trial.

III. DOCUMENTS AND EXHIBITS

State Street expects to offer the following documents and exhibits at trial:

| Date | Deposition Exhibit No. | Bates No. |
|-------------|-------------------------------|-------------------|
| N/A | Brown 10 | SSC 04705-4706 |
| N/A | | SSC 05332 |
| N/A | | SSC 05334-5337 |
| 01/19/95 | Brown 6 | Plaintiff 113-126 |
| 07/11/96 | | Plaintiff 106-112 |
| xx/xx/98 | | Plaintiff 155-162 |
| xx/xx/98 | | Plaintiff 184-185 |
| 09/21/98 | Brown 7 | Plaintiff 195-199 |
| 09/21/98 | | Plaintiff 179-183 |
| 10/02/98 | Brown 5 | Plaintiff 203-210 |

¹ As State Street has already informed plaintiff, it is likely that Mr. Weissman will be unavailable to testify due to health reasons.

| | | |
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| xx/xx/00 | Brown 3 | Plaintiff 222-237 |
| 09/01/01 | Brown 8 | Plaintiff 215-221 |
| 11/28/01 | | Plaintiff 213-214 |
| 12/21/01 | | SSC 01828 |
| xx/xx/02 | Brown 9 | Plaintiff 254-257 |
| 04/xx/02 | | Plaintiff 69-73 |
| 09/19/02 | Brown 2 | Plaintiff 260-268 |
| 05/01/03 | Brown 20 | Plaintiff 1-28 |
| 04/26/04 | | Plaintiff 84-92 |
| 06/03/04 | Brown 13 | Plaintiff 31 |
| 06/15/04 | Brown 14 | SSC 01207 |
| 06/18/03 | Hill 1 | SSC 05877-05905 |
| 06/19/03 | | SSC 01420-01430 |
| 06/29/04 | Logue 2 | SSC 01206 |
| 06/30/04 | Brown 15 | Plaintiff 29-30 |
| 09/13/04 | | SSC 01972-01973 |
| 09/17/04 | Brown 17 | SSC 01210-1211 |
| 10/01/04 | | SSC 01157-01158 |
| 12/02/04 | | Plaintiff 426-427 |
| 12/04/04 | | Plaintiff 417 |
| 03/13/05 | Brown 18 | Plaintiff 418-420 |
| 02/03/05 | Brown 1 | SSC 01268-01296 |
| 02/18/05 | | SSC 02310-2311 |

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| 03/11/05 | Brown 21 | SSC 02123-02124 |
| 03/11/05 | Brown 22 | SSC 02125 |
| 03/17/05 | Brown 24 | SSC 01151-1152 |
| 05/17/05 | Brown 11 | Plaintiff 442-449 |
| 02/26/06 | Brown 16 | Plaintiff's Responses to Defendants' First Set of Interrogatories |
| 05/26/06 | | Amended Complaint |
| xx/xx/06 | | Plaintiff's Responses to Defendants' Second Set of Interrogatories |

State Street may offer the following documents and exhibits if the need arises:

| Date | Deposition Exhibit No. | Bates No. |
|-------------|-----------------------------------|-------------------|
| 12/07/94 | | SSC 01904-01905 |
| 08/18/00 | | Plaintiff 300-302 |
| 02/12/01 | | Plaintiff 56-64 |
| 10/01/01 | Brown 4 | Plaintiff 127-139 |
| 12/19/02 | de Ocejio 2 | SSC 05788-05793 |
| 04/10/03 | | SSC 04870-04875 |
| 04/10/03 | | SSC 04876-04877 |
| 06/10/03 | | SSC 06002-06005 |
| 06/18/03 | Hill 2 | SSC 04642-04648 |
| 06/19/03 | | SSC 06103-06110 |

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| 06/23/03 | | SSC 05777-05782 |
| 06/30/03 | | Plaintiff 280-283 |
| 07/18/03 | | SSC 01209 |
| 10/10/03 | | Plaintiff 78-80 |
| 12/17/03 | | SSC 04654-04660 |
| 03/03/04 | | SSC 04661-04667 |
| 03/04/04 | | Plaintiff 93-98 |
| 03/03/04 | | Plaintiff 285-289 |
| 06/15/04 | | Plaintiff 290-295 |
| 06/16/04 | Logue 6 | SSC 05555 |
| 06/16/04 | de Ocejó 6 | SSC 04668-4671 |
| 07/01/04 | | SSC 06059 |
| 07/12/04 | de Ocejó 8 | SSC 05477-5479 |
| 07/28/04 | | SSC 05730-5745 |
| 08/25/04 | | SSC 06016 |
| 09/06/04 | | SSC 02074-2076 |
| 09/08/04 | | SSC 02258-2263 |
| 09/15/04 | Sergel 6 | SSC 05475-5476 |
| 09/15/04 | Logue 8 | SSC 05610-5729 |
| 09/15/04 | Sergel 7 | SSC 04672-04676 |
| 09/20/04 | | SSC 01974-1975 |
| 09/27/04 | | SSC 01319 |
| 10/01/04 | | SSC 02091-2092 |

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| 10/02/04 | | SSC 02012-2013 |
| 10/04/04 | | SSC 02096-02097 |
| 11/26/04 | | Plaintiff 430 |
| 12/14/04 | | SSC 02030 |
| 02/01/05 | | SSC 06019-6020 |
| 02/02/05 | | Plaintiff 99-105 |
| 02/18/05 | | SSC 06035-6036 |
| 02/18/05 | | Plaintiff 40-41 |
| 02/22/05 | | SSC 06039-6040 |
| 03/04/05 | | SSC 01225-01226 |
| 03/04/05 | | Plaintiff 305-328 |
| 03/11/05 | Shames 3 | SSC 02126-2127 |
| 03/18/05 | | SSC 06008 |
| 04/07/05 | | Plaintiff 45 |

State Street reserves the right to designate additional documents and exhibits in response to plaintiff's Rule 26(a)(2) and 26(a)(3) pretrial disclosures.

Dated: New York, New York
April 7, 2008

Respectfully submitted,

QUINN EMANUEL URQUHART
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*Attorneys for Defendants
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 7, 2008.

/s/ Rex Lee